

REMARKS

Claims 1-2, 4-26 are all the claims pending in the application. Claim 2 has been amended to recite that the step of stirring the water-absorbing resin is carried out by a controlled forced vibration generated by a mechanical vibrator. Support for this Amendment may be found, for example, at page 21, line 9 to page 22, line 4 of the specification. Thus, no new matter has been added. Accordingly, entry of the present Amendment is requested.

At page 2 of the Action, Claims 2 and 5 are rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by or, in the alternative, under 35 U.S.C. § 103(a) as allegedly being obvious over U.S. Patent No. 5,672,633 to Brehm et al.

Applicants respectively traverse this rejection for the following reasons.

Claim 2 has been amended to recite that the water-absorbing resin powder is stirred mechanically or by controlled forced vibration generated by a mechanical vibrator.

As reflected in this amendment, mechanical vibration is applied to the apparatus, and as a result, the particles vibrate. The “forced air flow” recited in the claim is not the driving force of the vibration. To the extent, if at all, that the fluidized bed may vibrate due to a forced air flow, such a phenomenon is not intentionally-induced but incidental. While the air flow per se functions to cause movement of particles, it does not stir the powder mechanically or by vibration, let alone by a controlled forced vibration generated by a mechanical vibrator. According to amended Claim 2, the forced air flow is not required to have such function. In the present invention, the apparatus per se is intentionally made to vibrate by means of a certain mechanical action, thereby consequently causing movement of particles. The same applies also to “mechanical stirring.”

Claim 2 recites mechanical or vibration stirring, and merely requires that a forced air flow be present at that time. The claimed language as amended makes clear that the movements of the particles are not caused by the forced air flow, but are substantively caused by controlled (forced) stirring. Accordingly, withdrawal of this rejection is requested.

As to Claim 5, the Examiner incorrectly attributes the rejection of Claim 5 to its dependence from Claim 2. However, Claim 5 depends from Claim 1. Thus, Applicants submit that Claim 5 is patentable over Brehm et al. by virtue of its dependence from Claim 1, and for at least the same reasons. Accordingly, withdrawal of this rejection is requested.

At page 2 of the Action, Claim 4 is rejected under 35 U.S.C. § 103(a) as allegedly being obvious over Brehm et al. in view of U.S. Patent No. 4,295,281 to Potter.

Claim 4 depends from Claim 1. Thus, Applicants submit that Claim 4 is patentable over Brehm et al. in view of Potter by virtue of its dependence from Claim 1, and for at least the same reasons. Accordingly, withdrawal of this rejection is requested.

At page 2 of the Action, Claim 6 is rejected under 35 U.S.C. § 103(a) as allegedly being obvious over Brehm et al.

Claim 6 depends from Claim 1. Thus, Applicants submit that Claim 6 is patentable over Brehm et al. by virtue of its dependence from Claim 1, and for at least the same reasons. Accordingly, withdrawal of this rejection is requested.

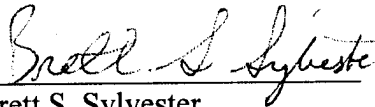
In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

AMENDMENT UNDER 37 C.F.R. § 1.111
Application No.: 10/798,346

Attorney Docket No.: Q80405

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,


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